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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/511,136

10/14/2004

Ritsu Yamamoto

HOK-0248

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23353

7590

06/10/2005

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EXAMINER

DONOVAN, LINCOLN D

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/511,136

Applicant(s)

YAMAMOTO ET AL.

Examiner

Lincoln Donovan

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,7 and 8 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10-14-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over in Uotome et al. [US 6,075,429] in view of Chikira et al. [US 5,003,274].

Regarding claims 1 and 5, Uotome et al. discloses a contact device [10] comprising:

- fixed terminals [23, 24] respectively provided with fixed contacts [21, 22];
- a z-shaped movable plate [36] carrying movable contacts [31, 32] each making a contact engagement with each one of the fixed contacts;
- a drive mechanism [figure 3] which drives the movable plate to make the contacting engagement of the movable contacts with the fixed contacts;
- a housing [12] which accommodates therein the fixed contacts, the movable plate and the drive mechanism;

wherein the movable plate has a plurality of contact carrying members, a leg upstanding from the contact members and a supporting member coupled at one end to the leg and fixed at the other end to the drive mechanism [figure 5].

Uotome et al. disclose everything claimed except the specific deformation of the supporting leg relative to the fixed contacts and the specific contact connection.

Chikira et al. discloses a relay having at least one contact [10e] mounted on a supporting leg engaging fixed contacts at an angle thereto to provide a force acting in a direction normal to a fixed contact surface [3, 4] defined therebetween [figure 1].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the contact engagement design of Chikira et al. with the contacts of Uotome et al. in order to provide wiping action during contact engagement.

Regarding claims 7-8, Uotome et al., as modified, disclose the base having an arc-extinguishing box surrounding the contacts [40, column 4, lines 1-52].

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uotome et al., as modified, as applied to claim 1 above, and further in view of Schmid et al. [US 5,155,459].

Uotome et al. disclose everything claimed except the contact member having a cut between the movable contacts.

Schmid et al. discloses a relay [10] having a movable contact member [17] having a cut between the movable contacts [figure 1].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the cut design of Schmid et al. with the contacts of Uotome et al., as modified, in order to provide additional breaking force to prevent contact welding.

Allowable Subject Matter

Claims 3-4 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Meister et al. [US 4,460,881], Hayden [US 4,003,011]

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lincoln Donovan whose telephone number is 571-272-1988. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Enad Elvin can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LINCOLN DONOVAN
PRIMARY EXAMINER
GROUP 2100